

STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

November 30, 2004

MEMORANDUM

TO: All Purchase of Services Applicants

FROM: Andrell Beppu Aoki, Fiscal Specialist
School Based Behavioral Health Services Section

SUBJECT: Addendum and Questions and Answers for Requests for Proposal
(EDN 150-2006-08) Issued on October 12, 2004

For your information, please find attached the addendum for the above-referenced Request for Proposal (RFP) by the School Based Behavioral Health Services Section of the Department of Education.

The purpose of the addendum is to provide clarification to questions raised at the orientation meeting of October 26, 2004 and written questions subsequently submitted in accordance with Section 1-V, of the RFP and to make necessary corrections to the applicable sections of the RFP.

The proposal submittal deadline of January 14, 2005 will not be amended.

Should you have any questions on administrative issues relating to the RFP, please contact me at (808) 735-8264 or via email at Andrell_Beppu@notes.k12.hi.us.

If you have concerns of a substantive nature, please contact the RFP Contact Person, Ms. Marilyn Jakeway, at (808) 735-8250 ext. 256 or via email at Marilyn_Jakeway@notes.k12.hi.us.

QUESTIONS AND ANSWERS FROM ORIENTATION MEETING OF OCTOBER 26, 2004

[Note: This is an abridged version of substantive issues raised at the Orientation that needed clarification. A full version of the Questions and Answers were disseminated to all interested POS applicants on November 12, 2004. A copy is available for downloading at http://doe.k12.hi.us/rfp_sbbh/.]

General Questions Applicable to all RFPs:

1. The "Proposal Application Checklist" contained in the RFP appears to be incomplete. The column titled "Required by Purchasing Agency" needs to be completed? **Yes, the DOE noticed that the document, as posted on the SPO Website, was incomplete. The DOE will be re-posting the "Proposal Application Checklist" on the website.**
2. Concern was raised over the number of hours of training providers must complete before actually servicing any student. Cost to train agency staff was raised as well as DOE's repeated requests to have services start immediately after an IEP/MP meeting determines services. **The purpose of the required training hours is to ensure that providers have an understanding of certain topics/issues like the ones stated in the RFP. The DOE will be amending the training requirements to reflect the following for contract providers conducting assessments: All contract providers must have at least twenty-four hours of orientation completed before beginning service delivery. The twenty-four hours of orientation shall include:**
 - **IDEA and HAR Chapter 56 Requirements, including procedures and eligibility criteria;**
 - **Section 504 and HAR Chapter 53 Requirements, including procedures and eligibility criteria;**
 - **Family Educational Rights and Privacy Act and HAR Chapter 36 Requirements;**
 - **An understanding of educationally relevant interventions and recommendations related to the target population; and**
 - **An understanding of all applicable contract terms and requirements.**

These 24 hours can be applied towards the 40 hours of ongoing professional development required for the year. Professional development must be directly related to the contracted professional's work responsibilities.
3. Was the change in policy now requiring providers to train personnel prior to providing service discussed at any time with providers? **No. The DOE did not anticipate, but has subsequently discovered in the past year, that many providers are servicing students without adequate training. The DOE's primary focus is the safety and welfare of its students.**
4. The training topics include crisis field assessment. Up until now SSCs have refused to fund time for field crisis events. Will this change? **Crisis field assessment has always been a training requirement since the implementation of the delivery of school based services. All contracted providers must have the ability to recognize crisis for student and take appropriate measure to support the student. The provider should ensure that there is a crisis plan for every student that should include support for after-school hours. The DOE is not looking to purchase crisis intervention as a separate service. Should a crisis event occur, the contracted provider must inform all appropriate DOE officials via the Incident/Sentinel Event report.**
5. Are there are other topics of required training that could be listed? **The DOE has delineated the topics of training as required under the RFPs. If an agency is**

interested in providing training on other topics to their staff, the agency is free to do so.

6. Are there any restrictions in regards to how the 40 hours of training requirements are delivered? *The DOE would expect that the trainings are interactive and allow for meaningful discussion and feedback.*
7. If a provider changes agencies, must the new hiring agency also re-train the provider who may already have had the 40 hours required training before the provider begins servicing the student? *Not necessarily. Agencies should request from the new hire documentation evidencing trainings that they have attended or received within the past year. All documentation should be kept in the contracted provider's credential (personnel) files.*
8. Is the prior training requirements negotiable? *DOE will be amending the training requirements so please refer to question #5 above. The DOE wants to ensure that trained providers will be serving our students and families.*
9. Concern was raised that all of the training requirements will affect an agency's ability to initiate immediate service. *The DOE will also start training the schools to write IEP service start dates to allow for some time to find providers – to move away from service start dates beginning the day after the IEP team makes the service determinations.*
10. Under Section 3, paragraph 1, Personnel – it states, "Parental consent for assessments and release of information is covered by the IEP/MP consent. NO additional parental consent for assessment or release is needed by the contracted provider." This statement is not accurate for a contracted provider who is accredited by an external body such as COA, CARF, etc. If an agency is accredited, the agency is required to obtain consent(s) in order to maintain its accreditation status. *The DOE does not require an applicant to be COA, CARF, etc. accredited; however, the department is aware that many of the potential applicants must be accredited as they also hold contracts with other state agencies that do require some type of accreditation. The DOE recognizes that this is a long-standing issue yet to be resolved and thus has asked the Attorney General for a written opinion regarding consents and the alleged conflicts between HIPAA and FERPA. While the DOE appreciates the delicate positions that potential applicants are placed in, the DOE finds it necessary to remind future contract awardees that any documentation that results from our contract agreements are the property of the DOE. The DOE would suggest that potential applicants review their own policies and procedures regarding the release of information to the DOE and so instruct their direct service providers. If an agency elects to obtain additional consent to provide service to the student or family, this shall not be cause to delay the delivery of service nor shall the time spent to discuss or obtain the additional consent be billed to the DOE.*
11. Fingerprinting and background check requirements read as though the DOE will complete the check and concerns were expressed that this might create a backlog and impact service delivery. What is the current status? *Currently, the DOE is pursuing legislation for the upcoming legislative session that will allow the DOE to conduct the national criminal history checks on its contracted providers and subcontractors. Two options are under discussion – first option would that the DOE does indeed conduct the criminal history check of all of its contracted providers and*

subcontractors; the second option would be for the DOE to delegate its authority to conduct criminal history checks to contracted agencies in the same way that the Department of Health delegated its authority. No firm decisions have been made at this time.

12. Does the criminal history check include the FBI checks? **Yes.**
13. How much will it cost an agency to conduct a criminal history check? **A records check may cost between \$27 – 29.**
14. DOE Form 90. What is it? **This is a DOE issued form that includes pertinent information and a consent to conduct the criminal history check for each applicant.** How does an agency process this requirement? **This would depend on whether or not the DOE chooses to delegate its authority to conduct criminal history checks to contracted agencies.**
15. On page 2-30 and 2-31 DOE requires employees to conduct mandatory criminal history checks and to repeat this every 3 years. What actions would you like an agency to take with the results of those checks? If any criminal convictions are greater than 10 years old, by Hawaii state employment law, a private company cannot use that against the individual and refuse to hire him, even if the offense is for numerous counts of child molestation. However, the DOE is exempted from this limitation. **This is a very important issue that the DOE will be discussing with its human resources department.**
16. Can an applicant apply to serve only 1 geographical area? **Yes, an applicant can apply to serve only 1 geographical area; however, the applicant must be able to deliver all the services as required under the specific RFP.**
17. Why aren't multiple or alternate proposals permitted? **The DOE discussed this alternative but could foresee many difficulties in evaluating the proposal applications as pricing is a factor and the DOE is choosing not to set rate schedules for each type of service. The DOE is allowing all proposal applicants to set the most competitive pricing standard. The DOE does not want multiple proposals just based on price.**
18. Can agencies do video conferencing for supervision and consultation with agency staff? **Yes, however the DOE will not be responsible for any costs associated with the development and implementation of an agency's videoconferencing capabilities.**
19. Like the hiking, swimming guidelines, can the DOE put out guidelines for pedestrian safety? **The DOE will conduct research to see if there are any existing departmental guidelines regarding this topic that can be shared or disseminated with contracted agencies.**

Intensive Learning RFP and Special School RFP:

1. Are the students' psychiatric needs required to be provided by the ILC? ***No, the RFP requires that an ILC or Special School program have a licensed physician available on-call during its hours of operation or has formal arrangements for emergency services with a nearby health care facility. The RFP also expects that the ILC or Special School program will be designed to assist students taking medications and establishes controls governing the proper assistance and storage of all medication. The DOE will continue to allow students in need of psychiatric services to be seen by their regular providers.***
2. Concern was raised over schools/districts stating that the current CBI contracts require the program to operate for extend school day/year. ***The DOE is not changing this requirement from previous contract years. It is expected that ILCs be able to accommodate students who may need extended school day/year programming.***

ADDENDUM NO. 1
to
REQUEST FOR PROPOSALS
SPECIAL SCHOOL
RFP NO. EDN 150-2006-08

Section 1 – Administrative Overview

NO CHANGES.

Section 2 – Service Specifications

Subsection	Page	Amendment
III. Scope of Work, Subsection A	2-7	Delete "Provide to the school a written service plan." Explanation: Not applicable to service activity.
III. Scope of Work, Subsection A	2-7	Delete "Provide services at the student's school, or at a site identified by the IEP Team as best suited to address IEP goals and objectives, in consultation with the provider." Explanation: Not applicable to service activity.
III. Scope of Work, Subsection A	2-8, 13 th bullet	Delete provision and replace bullet with the following: "All contract providers and agency staff members providing direct services must have attended, and have documentation to the effect that he or she has completed at least forty (40) hours of annual professional development. Such professional development must be directly related to his or her work responsibilities." <ul style="list-style-type: none">▪ Within the required forty hours of professional development, all contract providers and agency staff members must have at least thirty (30) hours of basic training including, but not limited to, crisis field assessment and intervention, suicide assessment, risk assessment, clinical protocols, documentation, and knowledge of community resources, as well as training regarding court processes and legal documents relative to emergency procedures, plus specific legal issues governing informed consents. Such basic training must be completed prior to performing crisis outreach services.▪ All contract providers and agency staff members providing direct services must have at least twenty-four (24) hours of orientation

		<p>completed before beginning service delivery. The 24 hours of orientation shall include:</p> <ul style="list-style-type: none"> o IDEA and HAR Chapter 56 requirements, including procedures and eligibility criteria; o Family Educational Rights and Privacy Act and HAR Chapter 36 requirements; o An understanding of educationally relevant interventions and recommendations related to the target population; and o An understanding of applicable contract requirements. <p>These 24 hours can be applied towards the 40 hours of ongoing professional development required for the year.</p> <ul style="list-style-type: none"> ▪ All contract providers and agency staff members providing direct services must also receive information and training regarding the following topics: <ul style="list-style-type: none"> o HAR Chapter 19 procedures and requirements; o State laws regarding child abuse and neglect reporting, reporting criminal behavior and threats regarding suicide and homicide; o Crisis intervention procedures, including suicide precautions; o A review of the Hawaii CASSP Principles; o A review of the Comprehensive Student Support System (CSSS); and o An understanding of team-based decision-making." <p>Explanation: Changes to training requirements were made as potential proposal applicants raised concerns at the Oct. 26th orientation over the number of hours of training a provider must complete before actually servicing any student. Also, DOE did not anticipate but discovered, that many current providers are servicing students without adequate training from their contracted agency.</p>
C. 1) Management Requirements – Personnel	2-14	<p>Add in new paragraph at end of section "In addition, the applicant shall require and maintain a record of certificate of TB examination issued to employees, subcontracted providers and volunteers issued within twelve months prior to the start of employment or service. Certificate must state that the person is free of communicable tuberculosis."</p>

		Explanation: SBBH was just informed that state regulations requires all persons who have regular contact with students must show proof that he or she is free from communicable tuberculosis.
C. 7) Reporting Requirements for program and fiscal data, subparagraph a	2-17	Delete reference to "Max OS 8.5 or higher." Replace with "Mac OS 8.5 or higher." Explanation: Correct typographical error noted.
C. 7) Reporting Requirements for program and fiscal data, subparagraph a	2-18	Insert the following after the last paragraph: " The Department reserves the right to evaluate the agency's program/service delivery for program monitoring purposes on an annual basis, at a minimum, through either an on-site evaluation or a documentation review." Explanation: Paragraph inadvertently left out in original draft.

Section 3 – POS Proposal Application Instructions

NO CHANGES.

Section 4 – Proposal Evaluation

NO CHANGES.

Section 5 – Attachments

Subsection	Page	Amendment
A	Competitive POS Application Checklist	Add an "X" under Column Heading "Required by Purchasing Agency" for the following items: 7. Cost Proposal (Budget) SPO-H-205 SPO-H-205A SPO-H-205B SPO-H-206A SPO-H-206B SPO-H-206C SPO-H-206D SPO-H-206E SPO-H-206F SPO-H-206G SPO-H-206H SPO-H-206I SPO-H-206J

		<p>8. Federal Certifications</p> <ul style="list-style-type: none">Debarment & SuspensionDrug Free Workplace RequirementsLobbyingProgram Fraud Civil Remedies ActEnvironmental Tobacco Smoke <p>9. Rate Schedule</p> <p>Explanation: Though originally checked as required documentation to be submitted by the proposal applicant, this information was not checked off when the document was converted into the PDF file for posting on the website. NOTE – Those who picked up a hard copy of the RFP will notice that their copies already include this information.</p>
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Competitive POS Application Checklist

Applicant: _____ RFP No.: _____

The applicant's proposal must contain the following components in the order shown below. This checklist must be signed, dated and returned to the state purchasing agency as part of the Proposal Application. *SPO-H forms are located on the web at <http://www.spo.hawaii.gov> Click *Procurement of Health and Human Services* and *For Private Providers*.*

Item	Reference in RFP	Format/Instructions Provided	Required by Purchasing Agency	Completed by Applicant
General:				
1. Proposal Application Title Page (SPO-H-200)	Section 1, RFP	SPO Website*	X	
2. Proposal Application Checklist	Section 1, RFP	Attachment A	X	
3. Table of Contents	Section 5, RFP	Section 5, RFP	X	
4. Proposal Application (SPO-H-200A)	Section 3, RFP	SPO Website*	X	
5. Registration Form (SPO-H-100A)	Section 1, RFP	SPO Website*	(Required if not Registered)	
6. Tax Clearance Certificate (Form A-6)	Section 1, RFP	SPO Website*		
7. Cost Proposal (Budget)				
SPO-H-205	Section 3, RFP	SPO Website*	X	
SPO-H-205A	Section 3, RFP	SPO Website*	X	
SPO-H-205B	Section 3, RFP,	SPO Website*	X	
SPO-H-206A	Section 3, RFP	SPO Website*	X	
SPO-H-206B	Section 3, RFP	SPO Website*	X	
SPO-H-206C	Section 3, RFP	SPO Website*	X	
SPO-H-206D	Section 3, RFP	SPO Website*	X	
SPO-H-206E	Section 3, RFP	SPO Website*	X	
SPO-H-206F	Section 3, RFP	SPO Website*	X	
SPO-H-206G	Section 3, RFP	SPO Website*	X	
SPO-H-206H	Section 3, RFP	SPO Website*	X	
SPO-H-206I	Section 3, RFP	SPO Website*	X	
SPO-H-206J	Section 3, RFP	SPO Website*	X	
Certifications:				
8. Federal Certifications		Section 5, RFP	X	
Debarment & Suspension		Section 5, RFP	X	
Drug Free Workplace		Section 5, RFP	X	
Lobbying		Section 5, RFP	X	
Program Fraud Civil Remedies Act		Section 5, RFP	X	
Environmental Tobacco Smoke		Section 5, RFP	X	
Program Specific Requirements:				
9. Rate Schedule			X	
10. Most Recent Financial Audit				

Authorized Signature

Date